

Applicants: Meir Shinitzky et al.
Serial No.: 10/530,776
Filing Date: December 19, 2005
Page 29 of 35

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants would like to direct the Examiner's attention to the following references, which are listed on Form PTO-1449 **(Exhibit A)**.

Reference item 1 is a U.S. Patent. Pursuant to 37 C.F.R. §1.98(a)(2), a copy of reference item 1 is not being submitted.

Copies of the documents listed herein as items 2-48 are attached hereto as **Exhibits 1-47**.

1. U.S. Patent No. 4,258,029, issued March 24, 1981 to Moloney, et al.
2. PCT International Application Publication No. WO 1991/016926, published November 14, 1991 (Penney) **(Exhibit 1)**;
3. PCT International Application Publication No. WO 1998/11887, published March 26, 1998 (Horrobin et al.) **(Exhibit 2)**;
4. PCT International Application Publication No. WO 1998/16216, published April 23, 1998 (Horrobin) **(Exhibit 3)**;
5. PCT International Application Publication No. WO 1998/052556, published November 26, 1998 (Katz et al.) **(Exhibit 4)**;
6. PCT International Application Publication No. WO 2004/000271, published December 31, 2003 (Maibach et al.) **(Exhibit 5)**;
7. European Patent Application Publication No. 0 955 046, published November 10, 1999 (Kitazawa et al.) **(Exhibit 6)**;
8. Japanese Patent No. JP 61-103826, issued May 22, 1986 to Futami et al. **(Exhibit 7)**;
9. Japanese Patent No. JP P2001-503743A, issued March 21, 2001 to Horrobin **(Exhibit 8)**;

Applicants: Meir Shinitzky et al.
Serial No.: 10/530,776
Filing Date: December 19, 2005
Page 30 of 35

10. Japanese Application Publication No. 10101630 with English Abstract, published April 21, 1998 (Mizuno Takayoshi) **(Exhibit 9)**;
11. Japanese Application Publication No. 2002097137 with English Abstract, published April 2, 2002 (Sumino Katsuhiko) **(Exhibit 10)**;
12. English language abstract of Japanese Patent JP 671-1-3826, issued May 22, 1986 to Futami et al. **(Exhibit 11)**;
13. PCT International Preliminary Report on Patentability issued on August 26, 2009 in connection with PCT Application No. PCT/US2008/002472, international filing date February 25, 2008 **(Exhibit 12)**;
14. PCT International Preliminary Report on Patentability issued on August 26, 2009 in connection with PCT Application No. PCT/US2008/002471, international filing date February 25, 2008 **(Exhibit 13)**;
15. Written Opinion of the International Searching Authority issued June 18, 2008 in connection with PCT Application No. PCT/US2008/002472, international filing date February 25, 2008 **(Exhibit 14)**;
16. Written Opinion of the International Searching Authority issued June 2, 2008 in connection with PCT Application No. PCT/US2008/002471, international filing date February 25, 2008 **(Exhibit 15)**;
17. August 19, 2009 Office Action issued by the U.S. Patent and Trademark Office in connection with U.S. Serial No. 12/072,304 **(Exhibit 16)**;
18. February 26, 2010 Office Action issued by the U.S. Patent and Trademark Office in connection with U.S. Serial No. 12/072,304

Applicants: Meir Shinitzky et al.
Serial No.: 10/530,776
Filing Date: December 19, 2005
Page 31 of 35

(Exhibit 17);

19. April 16, 2008 Office Action issued by the U.S. Patent and Trademark Office in connection with U.S. Serial No. 10/474,447 **(Exhibit 18);**
20. November 16, 2009 Advisory Action issued by the U.S. Patent and Trademark Office in connection with U.S. Serial No. 10/474,447 **(Exhibit 19);**
21. December 16, 2009 Office Action issued by the U.S. Patent and Trademark Office in connection with U.S. Serial No. 10/474,447 **(Exhibit 20);**
22. October 23, 2009 Office Action issued by the U.S. Patent and Trademark Office in connection with U.S. Serial No. 12/072,405 **(Exhibit 21);**
23. February 1, 2010 Office Action issued by the U.S. Patent and Trademark Office in connection with U.S. Serial No. 12/072,405 **(Exhibit 22);**
24. June 28, 2010 Final Office Action issued by the U.S. Patent and Trademark Office in connection with U.S. Serial No. 12/072,405 **(Exhibit 23);**
25. August 30, 2006 Response to June 29, 2006 Office Action filed in connection with U.S. Serial No. 10/474,448 **(Exhibit 24);**
26. March 30, 2007 Amendment in Response to November 2, 2006 Office Action filed in connection with U.S. Serial No. 10/474,448 **(Exhibit 25);**
27. September 11, 2009 Amendment in Response to August 19, 2009 Office Action filed in connection with U.S. Serial No. 12/072,304 **(Exhibit 26);**

Applicants: Meir Shinitzky et al.
Serial No.: 10/530,776
Filing Date: December 19, 2005
Page 32 of 35

28. June 23, 2010 Response to February 26, 2010 Office Action filed in connection with U.S. Serial No. 12/072,304 (**Exhibit 27**);
29. August 17, 2006 Response to July 17, 2006 Office Action filed in connection with U.S. Serial No. 10/474,447 (**Exhibit 28**);
30. March 28, 2007 Amendment in Response to December 28, 2006 Office Action filed in connection with U.S. Serial No. 10/474,447 (**Exhibit 29**);
31. February 15, 2008 Amendment Under C.F.R. §1.116 in Response to November 16, 2007 Final Office Action filed in connection with U.S. Serial No. 10/474,447 (**Exhibit 30**);
32. June 16, 2008 Response to April 16, 2008 Restriction Requirement filed in connection with U.S. Serial No. 10/474,447 (**Exhibit 31**);
33. February 6, 2009 Amendment in Response to November 6, 2008 Office Action filed in connection with U.S. Serial No. 10/474,447 (**Exhibit 32**);
34. August 11, 2009 Amendment Under C.F.R. §1.116 in Response to May 11, 2009 Final Office Action filed in connection with U.S. Serial No. 10/474,447 (**Exhibit 33**);
35. March 15, 2010 Amendment in Response to December 16, 2009 Office Action filed in connection with U.S. Serial No. 10/474,447 (**Exhibit 34**);
36. November 20, 2009 Response to October 23, 2009 Office Action filed in connection with U.S. Serial No. 12/072,405 (**Exhibit 35**);
37. April 30, 2010 Response to February 1, 2010 Office Action filed in connection with U.S. Serial No. 12/072,405 (**Exhibit**

36);

38. Grouiller A, et al. (2002) "Analogues et derives de la p.chlorophenylalénine: Synthèse, propriétés biochimiques et pharmacologiques (Abstract in English)". Eur. J. Med. Chem - Chimica Therapeutica 139-146 **(Exhibit 37);**
39. Johnson, David W. (2001) "Analysis of alcohols as dimethylglycine esters, by electrospray ionization tandem mass spectrometry". Journal of Mass Spectrometry 36:277-283 **(Exhibit 38);**
40. Limanov V.E et al. (1984) "Synthesis and Bactericidal Activity of Higher Amino-Acid Ester Hydrochlorides" Khimiko-Framatsevticheskii Zhurnal, Vol.18, NR. 10, pages 1214-1217 **(Exhibit 39);**
41. MedlinePlus® Health, "Multiple Sclerosis", updated 3/23/2001, downloaded from
"Http://web.archive.org/web/20010617130710/http://www.nlm.nih.gov/medlineplus/ency/article/000737.htm" on 07/15/2010, pages 1-4 of 4 **(Exhibit 40);**
42. Michiko Watanabe et al. (1988) "Alkylbenzyltrimethylammonium Salts as Inhibitors for the Ice Nucleating Activity of Erwinia ananas". Agric. Biol. Chem., 52(1):201-206 **(Exhibit 41);**
43. Ohtani, Noritaka et al. (1995) "Reactions of Amino Acid Decyl Esters with Nucleophiles Catalyzed by Polymer-Supported Amine-Metal Complexes". Bull. Chem. Soc. Jpn., 68:1669-1675 **(Exhibit 42);**
44. Penney Christopher L., et al. (1994) "Further studies on the adjuvant activity of stearyl tyrosine and amide analogues". Vaccine, 12(7):629-632 **(Exhibit 43);**
45. Schulz E., et al. (1982) "Pharmacological Properties of D, L-

Applicants: Meir Shinitzky et al.
Serial No.: 10/530,776
Filing Date: December 19, 2005
Page 34 of 35

2-Phenylglycine Alkylesuers with Special Consideration of Their Annitaflammatory Activity" Department of Pharmicology and Toxiocology, 119-128 (**Exhibit 44**);

46. Schulz, Elisabeth et al. (1983) "Synthese und einige pharmakologische Eigenschaften von Alkylestern verschiedener DL - Phenylaminosauren". Pharmazie, 38:310-313 (**Exhibit 45**);
47. Takakura, Isamu et al. (1990) "Pharmaceuticals containing piroxicam plasters and fatty acids (Abstract in English)" (**Exhibit 46**); and
48. WebMD®, "Osteoarthritis Guide", 2007, downloaded from "<http://www.webmd.com/osteoarthritis/guide/arthritis-basics>" on 12/8/2009, pages 1-4 of 4 (**Exhibit 47**).

Applicants note that PCT International Application Publication WO 98/16216 corresponds to Japanese Patent JP P2001-503743A. Applicants also note that reference item 8 was cited by the Israeli and Japanese Patent Offices and reference item 9 was cited by the Japanese Patent Office during examination of related foreign applications.

This Supplemental Information Disclosure Statement is being submitted under 37 C.F.R. §1.97(b)(4). The Examiner is respectfully requested to make these references of record in the present application by initialing and returning a copy of the enclosed Form PTO-1449.

Summary

In view of the preceding remarks, applicants maintain that the pending claims are in condition for allowance, and respectfully request that the Examiner issue a notice of allowance.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned

Applicants: Meir Shinitzky et al.
Serial No.: 10/530,776
Filing Date: December 19, 2005
Page 35 of 35

attorney invites the Examiner to telephone him at the number provided below.

No fee, other than the enclosed fee of \$405.00 for filing a Request for Continued Examination, is deemed necessary in connection with the filing of this Amendment, Supplemental Information Disclosure Statement and Request for Continued Examination. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Gary J. Gershik 8/16/10

John P. White Date

Reg. No. 28,678
Gary J. Gershik
Reg. No. 39,992

Gary J. Gershik

John P. White
Registration No. 28,678
Gary J. Gershik
Registration No. 39,992
Attorneys for Applicants
Cooper & Dunham LLP
30 Rockefeller Plaza
New York, New York 10112
Tel. No. (212) 278-0400